

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SEMOY LEGALL,

Plaintiff,

-against-

THE TRUSTEES OF COLUMBIA
UNIVERSITY IN THE CITY OF NEW YORK,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 5/1/2024

24 Civ. 2339 (AT)

ORDER OF SERVICE

Plaintiff Semoy Legall, who is proceeding *pro se*, brings this action asserting claims of employment discrimination under the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the New York State and City Human Rights Laws. The Court can also construe Plaintiff's complaint as asserting claims under the Family and Medical Leave Act of 1993. Plaintiff sues her former employers, the Trustees of Columbia University in the City of New York ("Columbia"). By order dated March 28, 2024, the Court granted Plaintiff's request to proceed *in forma pauperis* ("IFP"), that is, without prepayment of fees. The Court directs service on Columbia.

DISCUSSION

Because Plaintiff has been granted permission to proceed IFP, she is entitled to rely on assistance from the Court and the United States Marshals Service to effect service.¹ *Walker v. Schult*, 717 F.3d 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve all process . . . in [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP).

To allow Plaintiff to effect service on Columbia through the United States Marshals Service, the Clerk of Court is instructed to fill out a United States Marshals Service Process Receipt and Return form ("USM-285 form") for Columbia. The Clerk of Court is further instructed to issue a summons for Columbia and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Columbia.

If the complaint is not served on Columbia within 90 days after the date the summons is issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff's responsibility to request an extension of time for service).

¹Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have effected service until the Court reviewed the complaint and ordered that a summons be issued. The Court therefore extends the time to serve until 90 days after the date that a summons is issued.

Plaintiff must notify the Court in writing if her address changes, and the Court may dismiss this action if she fails to do so.

CONCLUSION

The Court directs the Clerk of Court to mail an information package to Plaintiff.

The Court additionally directs the Clerk of Court to issue a summons for the Trustees of Columbia University in the City of New York (“Columbia”), complete a USM-285 form with the service address of Columbia, and deliver all documents necessary to effect service of the summons and the complaint on Columbia to the United States Marshals Service.

SO ORDERED.

Dated: May 1, 2024
New York, New York



ANALISA TORRES
United States District Judge

DEFENDANTS AND SERVICE ADDRESS OF DEFENDANTS

The Trustees of Columbia University in the City of New York
Office of General Counsel
412 Low Memorial Library
535 West 116th Street
New York, New York 10027